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Attorneys for Defendant  
**PRAXAIR DISTRIBUTION, INC.**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

SETH COCKRELL,

Case No. 08-CV-00204-PJH

**Plaintiff,**

V.

PRAXAIR DISTRIBUTION, INC., and  
DOES 1 through 100.

Defendant.

## STIPULATION FOR VOLUNTARY DISMISSAL WITH PREJUDICE

Plaintiff Seth Cockrell and Defendant, Praxair Distribution, Inc., pursuant to Federal Rule of Civil Procedure 41(a), hereby stipulate to the dismissal of this action and each claim which was or could have been brought therein, with prejudice, and without an award of costs or attorney's fees to either party. The parties further agree to the entry of the attached proposed Order dismissing this case with prejudice.

Dated: June 20, 2008

Dated: June 20, 2008

/S/Anthony J. Sperber

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Anthony J. Sperber, Esq.

Law Office of ANTHONY J. SPERBER  
Attorneys for Plaintiff, Seth Cockrell

/S/ Alison S. Hightower

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Alison S. Hightower, Esq.

LITTLER MENDELSON, P.C.

Atorneys for Defendant, Praxair Distribution, Inc.

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**STIPULATION FOR VOLUNTARY  
DISMISSAL WITH PREJUDICE**

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Case No. 08-CV-00204-PJH

**Plaintiff:**

V.

PRAXAIR DISTRIBUTION, INC., and  
DOES 1 through 100.

Defendant.

**[PROPOSED] FINAL ORDER GRANTING VOLUNTARY DISMISSAL WITH  
PREJUDICE**

THIS CAUSE having come before the Court upon the parties' Stipulation For Voluntary Dismissal With Prejudice,

IT IS HEREBY ORDERED and ADJUDGED that this action, and each claim which was or could have been brought therein, is dismissed with prejudice, and neither party shall be awarded costs or attorney's fees. The Clerk shall close this case.

THE HONORABLE PHYLLIS HAMILTON  
JUDGE OF THE UNITED STATES DISTRICT COURT

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1 JOHN SKONBERG, Bar No. 069409  
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11 Attorneys for Defendant  
12 PRAXAIR DISTRIBUTION, INC.

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA

14 COUNTY OF CONTRA COSTA

15 UNLIMITED CIVIL CASE

16 SETH COCKRELL,

17 Case No. C 07-02143

18 Plaintiff,

19 **PROOF OF SERVICE**

20 v.

21 PRAXAIR DISTRIBUTION, INC., and  
22 DOES 1 through 100,

23 Defendants.

24 I am a resident of the State of California, over the age of eighteen years, and not a  
25 party to the within action. My business address is 650 California Street, 20th Floor, San Francisco,  
26 California 94108.2693. On June 20, 2008, I served the within document(s):

27 **STIPULATION FOR VOLUNTARY DISMISSAL WITH PREJUDICE**

28 **[PROPOSED] FINAL ORDER GRANTING VOLUNTARY DISMISSAL  
WITH PREJUDICE**

<input checked="" type="checkbox"/>	<b>By United States mail.</b> I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses indicated below and (specify one):
<input type="checkbox"/>	deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
<input checked="" type="checkbox"/>	placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this firm's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
<input type="checkbox"/>	<b>By overnight delivery.</b> I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses listed below. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
<input type="checkbox"/>	<b>By messenger service.</b> I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a professional messenger service for service (First Legal Services T(415) 626-3111).
<input type="checkbox"/>	<b>By fax transmission.</b> Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.
<input type="checkbox"/>	<b>By e-mail or electronic transmission.</b> <u>AS A COURTESY</u> , I caused the documents to be sent to the persons at the e-mail addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

**Counsel for Plaintiff, Seth Cockrell**

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I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on June 20, 2008, at San Francisco, California.

Christolyn Shepard  
CHRISTOLYN SHEPARD

Firmwide: 856.235.8710 45147 1123